that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR parts 730, 731, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 et seq.).

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). The State submittal which is the subject of this rule is based upon corresponding Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the corresponding Federal regulations.

List of Subjects in 30 CFR part 914

Intergovernmental regulations, Surface mining, Underground mining.
paragraph notations to reflect
organizational changes resulting from
this amendment.

A. Revisions to Texas’ Regulations That
Are Substantively Identical to the
Corresponding Provisions of the Federal
Regulations

TCMR 701.008(71), Definition of
“Road” (30 CFR 701.5); TCMR
780.154(a) (Surface Mining) and TCMR
784.198(a) (Underground Mining), Plans
and drawings required by CFR 780.37(a)
(Surface Mining) and 30 CFR 784.24(a)
(Underground Mining); TCMR
780.154(b) (Surface Mining) and TCMR
784.198(b) (Underground Mining),
Primary road certification (30 CFR
780.37(b) (Surface Mining) and 30 CFR
784.24(b) (Underground Mining));
TCMR 780.154(c) (Surface Mining) and
TCMR 784.198(c) (Underground Mining),
Support facilities (30 CFR
780.38 (Surface Mining) and 30 CFR
784.30 (Underground Mining)); TCMR
816.400 (Surface Mining) and TCMR
817.569 (Underground Mining), Roads:
General (30 CFR 816.150 (Surface
Mining) and 30 CFR 817.150
(Underground Mining)); TCMR 816.402
(Surface Mining) and TCMR 817.571
(Underground Mining), Utility
installations (30 CFR 816.180 (Surface
Mining) and 30 CFR 817.180
(Underground Mining)); TCMR 816.403
(Surface Mining) and TCMR 817.572
(Underground Mining), Support
facilities (30 CFR 816.181 (Surface
Mining) and 30 CFR 817.181
(Underground Mining); TCMR
815.327(c), Performance standards for
coal exploration (30 CFR 815.15(b)); and
TCMR 827.651(b), Coal processing
plants: Performance standards (30 CFR
872.12(h)).

Because the above proposed revisions
are identical in meaning to the
responding Federal regulations, the
Director finds that Texas’ proposed
rules are no less effective than the
Federal rules.

B. TCMR 816.401 (Surface Mining) and
TCMR 817.570 (Underground Mining)

At TCMR 816.401 (Surface Mining)
and TCMR 817.570 (Underground Mining), Texas proposed revisions that
are substantively identical to the
provisions of the Federal
regulations at 30 CFR 816.151 (Surface
Mining) and 30 CFR 817.151
(Underground Mining), except that at
TCMR 816.401(b) and TCMR 817.570(b),
Texas proposed to include the language,
“or meet the requirements established
under Section 780.154 (784.198) of this
chapter.” By letter dated February 14,
1996 (Administrative Record No. TX−
608.04), Texas notified OSM that the

references to Sections 780.154 and
784.198 at the end of proposed new
subsections 816.401(b) and 817.570(b)
were in error and modified its submittal
to remove those references. Therefore,
the revised language is substantively
identical to the corresponding Federal
regulations, and the Director finds that
Texas’ proposed rules are no less
effective than the Federal rules.

IV. Summary and Disposition of
Comments

Public comments

The Director solicited public comments
and provided an opportunity for a public hearing on the proposed
amendment. The Texas Mining and
Reclamation Association responded by
letter dated February 29, 1996, and
stated its Board of Directors and its
operating companies “fully support the
amendment” (Administrative Record
No. 608.07). Texas Utilities Services,
Inc., in a letter dated March 1, 1996,
noted the state language “vehicle travel
on other than established graded and
surfaced roads shall be limited by the
person who conducts coal exploration
to that absolutely necessary to conduct
the exploration” has been deleted
(Administrative Record No. 608.08).
OSM acknowledges this language has
been deleted from TCMR 815.327(c)(1).

Because no one requested an
opportunity to speak at a public hearing,
no hearing was held.

Federal Agency Comments

Pursuant to 30 CFR 732.17(h)(11)(i),
the Director solicited comments on the
proposed amendment from various
Federal agencies with an actual or
potential interest in the Texas program.
The U.S. Army Corps of Engineers
responded by letter dated February 27,
1996, and stated the proposed
amendments to Texas Coal Mining
Regulations were satisfactory to the
agency (Administrative Record No. TX−
608.06). No other Federal agency
comments were received.

Environmental Protection Agency (EPA)

Pursuant to 30 CFR 732.17(h)(11)(ii),
OSM solicited comments on the proposed
amendment from EPA (Administrative
Record No. TX−608.03). EPA responded
by letter dated February 23, 1996, and
stated the agency had no comments
(Administrative Record No. TX−
608.05).

State Historical Preservation Officer
(SHPO) and the Advisory Council on
Historic Preservation (ACHP)

Pursuant to 30 CFR 732.17(h)(4), OSM
solicited comments on proposed amendments which may have
an effect on historic properties from
the SHPO and ACHP. OSM solicited
comments on the proposed amendment from
the SHPO and ACHP
(Administrative Record No. TX−
608.01). ACHP did not respond to OSM’s
request. The SHPO responded on
February 12, 1996, that the proposed
amendment would have no effect on
National Register-eligible or listed
properties or State Archaeological
Landmarks (Administrative Record No.
TX−608.03).

V. Director’s Decision

Based on the above findings, the
Director approves the proposed
amendment as submitted by Texas on
December 20, 1995, and as revised on
February 14, 1996.

The Director approves the rules as
proposed by Texas with the provision
that they be fully promulgated in
identical form to the rules submitted to
and reviewed by OSM.

The Federal regulations at 30 CFR
Part 943, codifying decisions concerning
the Texas program, are being amended
to implement this decision. This final
rule is being made effective immediately
and in accordance with the Federal
standards without undue delay.
Consistency of States to bring their programs into
comformity with the Federal standards
is required by SMCRA.

VI. Procedural Determinations

Executive Order 12866

This rule is exempted from review by
the Office of Management and Budget
(OMB) under Executive Order 12866
(Regulatory Planning and Review).

Executive Order 12778

The Department of the Interior has
conducted the reviews required by
section 2 of Executive Order 12778
(Civil Justice Reform) and has
determined that, to the extent allowed
by law, this rule meets the applicable
standards of subsections (a) and (b) of
that section. However, these standards are not applicable to the actual language
of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMMA (30 U.S.C. 1253 and 1255) and the Federal regulations at 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMMA and its implementing Federal regulations and whether the other requirements of 30 CFR Parts 730, 731, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMMA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4321(2)(C)).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 et seq.).

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). The State submittal which is the subject of this rule is based upon corresponding Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the corresponding Federal regulations.

List of Subjects in 30 CFR Part 943

Intergovernmental relations, Surface mining, Underground mining.

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Part 535

Iranian Assets Control Regulations; Shams Pahlavi Assets Unblocked; Correction

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Final rule; amendment to the list of persons whose assets are subject to blocking; correction.

SUMMARY: This document contains a correction to a typographical error appearing in a final regulation published Monday, March 4, 1996 (61 FR 8216).

EFFECTIVE DATE: April 5, 1996.

FOR FURTHER INFORMATION CONTACT: Regarding the status of blocked assets, Loren L. Dohm, Blocked Assets Division (tel.: 202/622-2440); regarding legal questions, William B. Hoffman, Chief Counsel (tel.: 202/622-2410); Office of Foreign Assets Control, Department of the Treasury, Washington, D.C. 20220.

SUPPLEMENTARY INFORMATION:

Background

Section 535.217(b) of the Iranian Assets Control Regulations, 31 CFR part 535, was amended effective March 1, 1996, to reflect changes in the status of litigation brought by Iran against close relatives of the former Shah of Iran seeking the return of property alleged to belong to Iran. Reference to Shams Pahlavi, sister of the former Shah of Iran, was deleted from § 535.217(b).

Need for Correction

As published, the final regulation contained a typographical error requiring correction.

Correction of Publication

Accordingly, the publication on March 4, 1996, of the final regulation [FR Doc. 96-4899][61 FR 8216] is corrected as follows:

§ 535.217 [Corrected]

On page 8216, in the third column, following paragraph 2., the section number in the title of the section being amended is corrected to read “§ 535.217” rather than “§ 535.201.”

Dated: April 1, 1996.

William B. Hoffman
Chief Counsel, Office of Foreign Assets Control.

[F.R. Doc. 96-8533 Filed 4-5-96; 8:45 am]

BILLING CODE 4810-25-F

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2 and 97

[ET Docket No. 93-40; FCC 96-25]

Allocation of the 219–220 MHz Band for Use by the Amateur Radio Service

AGENCY: Federal Communications Commission.

ACTION: Final rule; petition for reconsideration.

SUMMARY: By this Memorandum Opinion and Order (MO&O), the Commission addresses the Petition for Reconsideration (Petition), filed by Fred Daniel d/b/a Orion Telecom (Orion). Orion’s Petition requests that the Commission rescind the 219–220 MHz allocation to the Amateur Radio Service or, alternatively, modify the rules to provide additional protection for Automated Maritime Telecommunications Systems (AMTS) operations. This MO&O affirms the Commission’s decision to allocate the 219–220 MHz band to the Amateur Radio Service on a secondary basis; and also amends the amateur rules to reflect the frequency upon which the AMTS stations operate. Finally, the MO&O updates and corrects the Table of Frequency Allocations.

EFFECTIVE DATE: May 8, 1996.

FOR FURTHER INFORMATION CONTACT: Thomas P. Deringe (202) 418-2451,